C2/1

ZONING CHANGE REVIEW SHEET

CASE: C14-2014-0008 – All Saints Episcopal Church Annex

H.L.C. DATE: March 24, 2014
Z.A.P. DATE: April 1, 2014

ADDRESS: 209-½ West 27th Street

OWNER: Protestant Episcopal Church Council of the Diocese of Texas (Mike McChesney)

AGENT: Winstead P.C. (John Philip Donisi)

ZONING FROM: MF-5-H **TO:** CS-MU

AREA: 0.579 acres (25,209 square feet)

SUMMARY STAFF RECOMMENDATION:

The Staff recommendation is to grant general commercial services – mixed use – conditional overlay (CS-MU-CO) combining district zoning. The Conditional Overlay prohibits the following uses: agricultural sales and services; automotive rentals, automotive repair services, automotive sales, automotive washing (of any type), campground, commercial blood plasma center, convenience storage, equipment repair services, equipment sales, limited warehousing and distribution, service station, and vehicle storage.

HISTORIC LANDMARK COMMISSION RECOMMENDATION:

March 24, 2014: *TO GRANT REMOVAL OF HISTORIC LANDMARK (H) ZONING AND REZONING TO THE CS-MU-CO DISTRICT AS STAFF RECOMMENDED, IN ADDITION TO A CO ALLOWING NO STRUCTURES ON LOT 13 WITHIN THE FIRST 25' OF THE SOUTHERN PROPERTY LINE OF LOT 14.*

[M. GALINDO; D. LEARY – 2ND] (5-0) J. ROSATO; T. MYERS – ABSENT

NOTE: THE APPLICANT IS ALSO AGREEABLE TO RETURN TO THE HISTORIC LANDMARK COMMISSION FOR DESIGN REVIEW AND RECOMMENDATIONS ON ANY STRUCTURE ON LOTS 10-13.

ZONING AND PLATTING COMMISSION RECOMMENDATION:

April 1, 2014:

ISSUES:

The Applicant is in agreement with the Staff recommendation and has offered an additional CO that prohibits structures within 25 feet of the north property line (Lot 13).

DEPARTMENT COMMENTS:

The subject rezoning area is platted, contains a surface parking lot for the All Saints Episcopal Church, and has driveway access onto Whitis Avenue. The rezoning area along with the historic chapel that was built in 1899 and is directly north has been zoned multi-family residence – high density – historic landmark (MF-5-H) district since November 1980 (C14H-80-022). There is a platted but unbuilt alley directly adjacent to the east, as well as church offices and a student center (MF-5, also proposed for CS-MU zoning), a dormitory to the south (MF-5), and University of Texas facilities to the west (MF-5, CS). Please refer to Exhibits A (Zoning Map), A-1 (Aerial Exhibit), A-2 (Lot Layout) and B (1980 Historic zoning ordinance).

The Applicant has requested general commercial services – mixed use (CS-MU) combining district zoning to enable the construction of a parking structure for the church and for commercial purposes, as well as office space. The chapel as well as a 36-foot buffer area (all of Lots 14 and 15) will retain MF-5-H zoning. With the exception of the All Saints Episcopal Church lots described above, all of the other properties on the south side of 27th Street are owned by the University of Texas. There are two commercial parking structures further east on 27th Street, west of its intersection with Speedway. Staff believes the Applicant's rezoning request provides consistency with the scale and intensity of development on the south side of 27th Street, maintains an adequate buffer to the existing chapel, and recommends a Conditional Overlay prohibiting the more intensive commercial uses allowed in the CS base district.

EXISTING ZONING AND LAND USES:

	ZONING	LAND USES
Site	MF-5-H	Surface parking lot for All Saints Episcopal Church
North	MF-5-H; MF-5-NCCD-NP	Historic chapel; Scottish Rite dormitories; Austin Presbyterian Theological Seminary
South	MF-5	Kinsolving Dormitory (University of Texas)
East	MF-5	Church offices and Student Center (also proposed for CS-MU); Parking garage (University of Texas)
West	MF-5; CS	Almetris Duren Hall dormitory; Learning Center (University of Texas)

AREA STUDY: N/A

TIA: Is not required

WATERSHED: Waller Creek

DESIRED DEVELOPMENT ZONE: Yes

CAPITOL VIEW CORRIDOR: No

SCENIC ROADWAY: No

SCHOOLS:

Lee Elementary School Kealing Middle School McCallum High School

NEIGHBORHOOD ORGANIZATIONS:

48 – North University Neighborhood Association 69 – University Area Partners
511 – Austin Neighborhoods Council 742 – Austin Independent School District
754 – CANPAC (Central Austin Neighborhood Plan Area Committee)
764 – North University Neighborhood Association NPT
1037 – Homeless Neighborhood Association 1075 –Bike Austin
1200 – Super Duper Neighborhood Objectors and Appealers Organization
1212 – The University of Texas at Austin 1224 – Austin Monorail Project
1228 – Sierra Club, Austin Regional Group 1236 – The Real Estate Council of Austin, Inc.
1340 – Austin Heritage Tree Foundation 1363 – SEL Texas
1391 – Central Austin Community Development

CASE HISTORIES:

NUMBER	REQUEST	COMMISSION	CITY COUNCIL
C14-04-0022 – Central Austin Combined Neighborhood Plan Rezonings – 38th St. to the north, Duval St. to the east, San Jacinto Blvd. and 27th St. to the south, and Guadalupe St. to the west	Various	To Grant	Approved changes to the base zoning districts on 74 tracts of land (8-26-2004).

RELATED CASES:

The property is platted as the north two feet of Lot 9, and Lots 10, 11, 12 and 13, Whitis Addition, Outlot 15, Division D, a subdivision recorded in 1880.

The subject rezoning area and the historic chapel to the north were zoned MF-5-H by City Council on November 20, 1980 (C14H-80-022).

The owner is also proposing to rezone property on the east side of the unbuilt alley from MF-5 to CS-MU (C14-2014-0009 – All Saints Episcopal Church).

There are no related subdivision or site plan applications on the subject property.

The Applicant is proposing to vacate the 20-foot wide (north-south) alley that is shown on the plat but is not on the ground extending between West 27th Street and the property's boundary with the University of Texas to the south (Real Estate Services Case No. 9325-1401).

ABUTTING STREETS:

Name	ROW	Pavement	Classification	Daily Traffic
West 27th Street	65 feet	46 feet	Collector	Not Available
Whitis Avenue	70 feet	27 feet	Local	Not Available

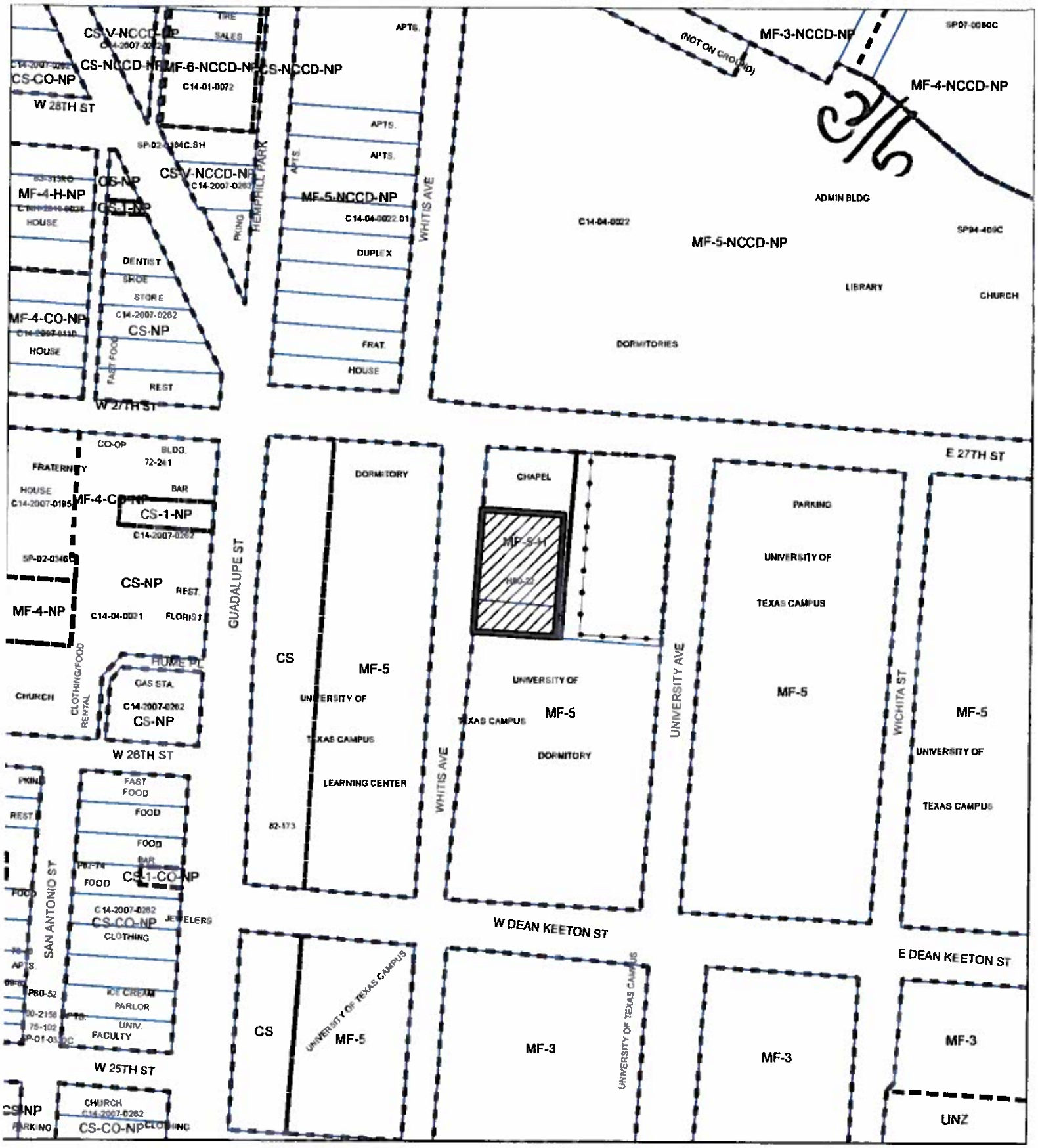
- Capital Metro bus service (route nos. FW, WC) is available along W. 27th Street.
- Sidewalks exist along both W. 27th Street and Whitis Avenue.
- According to the Austin 2009 Bicycle Plan Update approved by Austin City Council in June, 2009, bicycle facilities are existing and/or recommended along the adjoining streets as follows: W. 27th Street serves route no. 340 with an existing Wide Curb and recommended Bike Lane.

CITY COUNCIL DATE: May 1, 2014 **ACTION:**

ORDINANCE READINGS: 1st 2nd 3rd

ORDINANCE NUMBER:

CASE MANAGER: Wendy Rhoades **PHONE:** 512-974-7719
e-mail: wendy.rhoades@austintexas.gov



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SUBJECT TRACT

PENDING CASE

ZONING BOUNDARY

1 " = 200 '

ZONING

Exhibit A

ZONING CASE#: C14-2014-0008

This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries.

This product has been produced by CTM for the sole purpose of geographic reference. No warranty is made by the City of Austin regarding specific accuracy or completeness.

CS-NCCD-NP
CS-NCCD-NP
ADAMS PARK
P-NCCD-NP
MF-3-NCCD-NP
APARTMENTS
MF-4-NCCD-NP
GO-H-NCCD-NP
MF-5-CO-NP
MF-4-NCCD-NP
MF-6-NCCD-NP
GO-NP
MF-4-CO-NP
CS-1-NP
MF-5-NCCD-NP
MF-5-NCCD-NP
CS-1-CO-NP
CS-NP
MF-4-NP
W 27TH ST
MF-5-H
CS-1-NP
CS-NP
MF-4-NP
QUADALUPE ST
CS
MF-5
CS-NP
MF-5
MF-5
MF-5
CS-1-NP
MF-5
W DEAN KEETON ST
MF-4-NP
CS
MF-5
MF-3
MF-3
MF-3
MF-4-NP
UNZ
MF-5
UNZ
UNZ
CS
UNZ
UNZ
UNZ
UNZ
NORTH

STATE OF TEXAS
REGISTERED
JOHN NOELL
2433
PROFESSIONAL
LAND SURVEYOR

12-16-13

WHITIS AVENUE (80' R.O.W.)

Mag Nail Set

Mag Nail Set

Protestant Episcopal Church Council
of the Diocese of Texas
Vol. 9211, Pg. 427

CH-2014-0008

8 9 10 11 12 13 14 15

130.00' 130.00'

Point of Beginning
F.N. #1245
0.133 of an acre
(5,797 square feet)

N03° 35'10"E - 289.88

280.00'

The University of Texas

20' Alley

N86° 46'35"W

0.133 of an acre (5,797 square feet)

S03° 35'10"W - 289.88'

S86° 46'50"E - 280.00'

WEST 27TH STREET (80' R.O.W.)

CH-2014-0009

Block 10

25 24 23 22 21 20 19 18

130.00' 130.00'

Whitis Addition
Bk. N, Pg. 576
Civil Minutes, Travis County, Texas

Basis of Bearings: Bearings shown hereon are based on the Texas State Plane Coordinate System, NAD 83 (1986 Adjustment), Texas Central Zone (4203). All bearings, distances and acreages shown hereon relate to this datum and grid coordinate system.

Exhibit A-2
Lot Layout

Field Note #1245 to accompany this map.

1/2" Iron Rod with
Cap Set (UDG #2433)

1/2" Iron
Rod Found

UNIVERSITY AVENUE (80' R.O.W.)

SCALE: 1"=50'

UDG
Urban Design Group
3660 STONERIDGE ROAD
SUITE E101
AUSTIN, TEXAS 78746
PHONE: (512) 347-0040
FAX: (512) 347-1311
E-MAIL: GENERAL@UDG.COM
WWW: WWW.UDG.COM

X/C

CITY OF AUSTIN, TEXAS

C2/8

ORDINANCE NO. 801120-J

AN ORDINANCE ORDERING A CHANGE IN USE AND HEIGHT AND AREA AND CHANGING THE USE AND HEIGHT AND AREA MAPS ACCOMPANYING CHAPTER 45 OF THE AUSTIN CITY CODE OF 1967 AS FOLLOWS:
LOTS 10-15, BLOCK 10, WHITIS SUBDIVISION, OUTLOT 15, DIVISION D, LOCALLY KNOWN AS 2629 WHITIS AVENUE (ALL SAINTS CHAPEL), FROM "B" RESIDENCE, THIRD HEIGHT AND AREA DISTRICT TO "B-H" RESIDENCE-HISTORIC, THIRD HEIGHT AND AREA DISTRICT, SAID PROPERTY BEING LOCATED IN AUSTIN, TRAVIS COUNTY, TEXAS; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND PROVIDING AN EFFECTIVE DATE.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

PART 1. Chapter 45 of the Austin City Code of 1967 is hereby amended to change the USE and HEIGHT and AREA designations from "B" Residence, Third Height and Area District to "B-H" Residence-Historic, Third Height and Area District on the property described in File C14h-80-022 to-wit:

> Lots 10-15, Block 10, Whitis Subdivision, Outlot 15, Division D, a subdivision in the City of Austin, Travis County, Texas, as recorded in Volume 1499, at Page 513 of the Deed Records of Travis County, Texas,

locally known as 2629 Whitis Avenue (All Saints Chapel), in the City of Austin, Travis County, Texas.

PART 2. It is hereby ordered that the USE and HEIGHT and AREA maps accompanying Chapter 45 of the Austin City Code of 1967 and made a part thereof shall be changed so as to record the change ordered in this ordinance.

PART 3. The rule requiring that ordinances shall be read on three separate days is hereby suspended, and this ordinance shall become effective ten (10) days following the date of its passage.

PASSED AND APPROVED

November 20, 1980

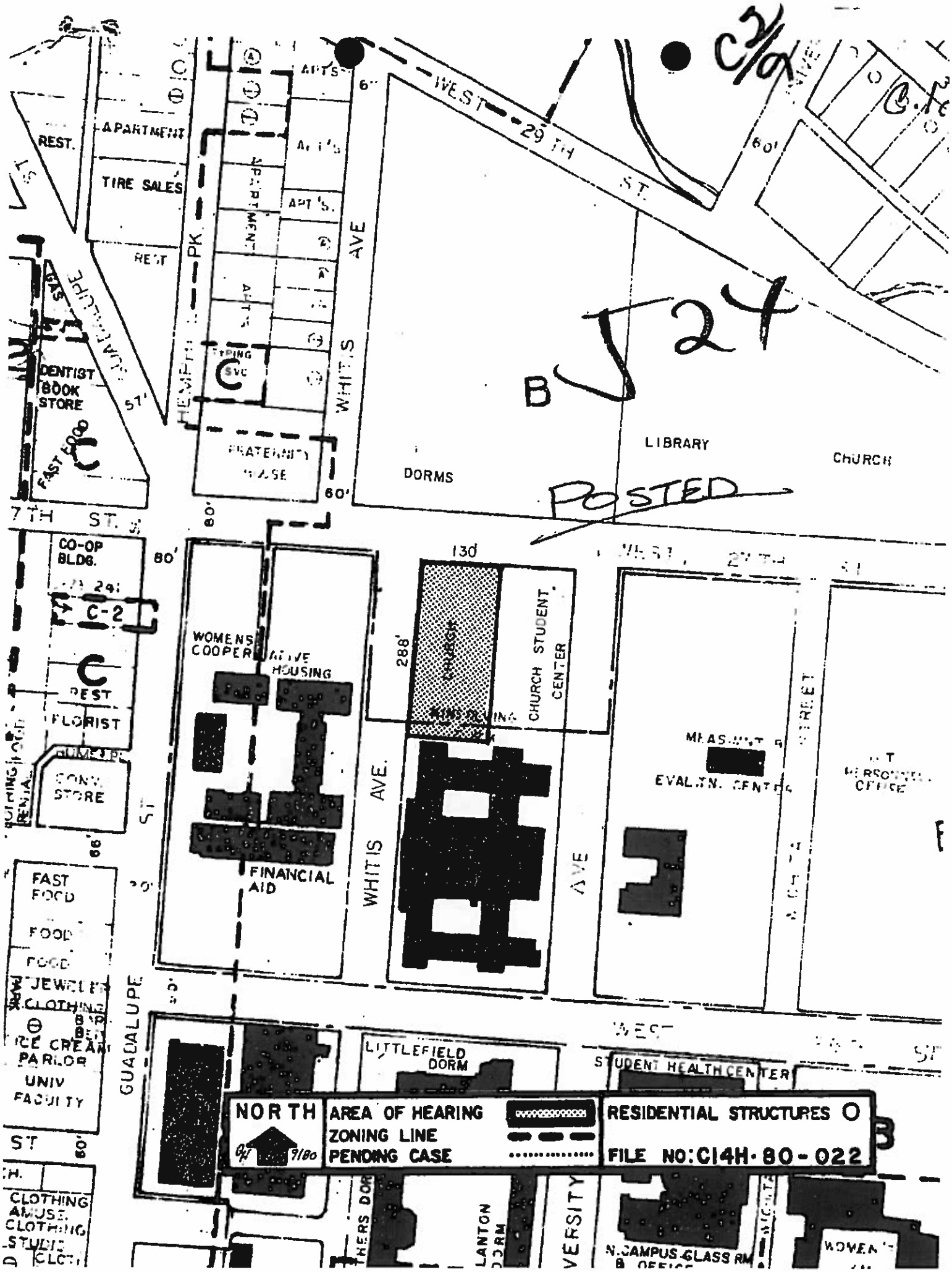
Carole Keeton McClellan
Mayor

APPROVED: Albert De La Rosa
City Attorney

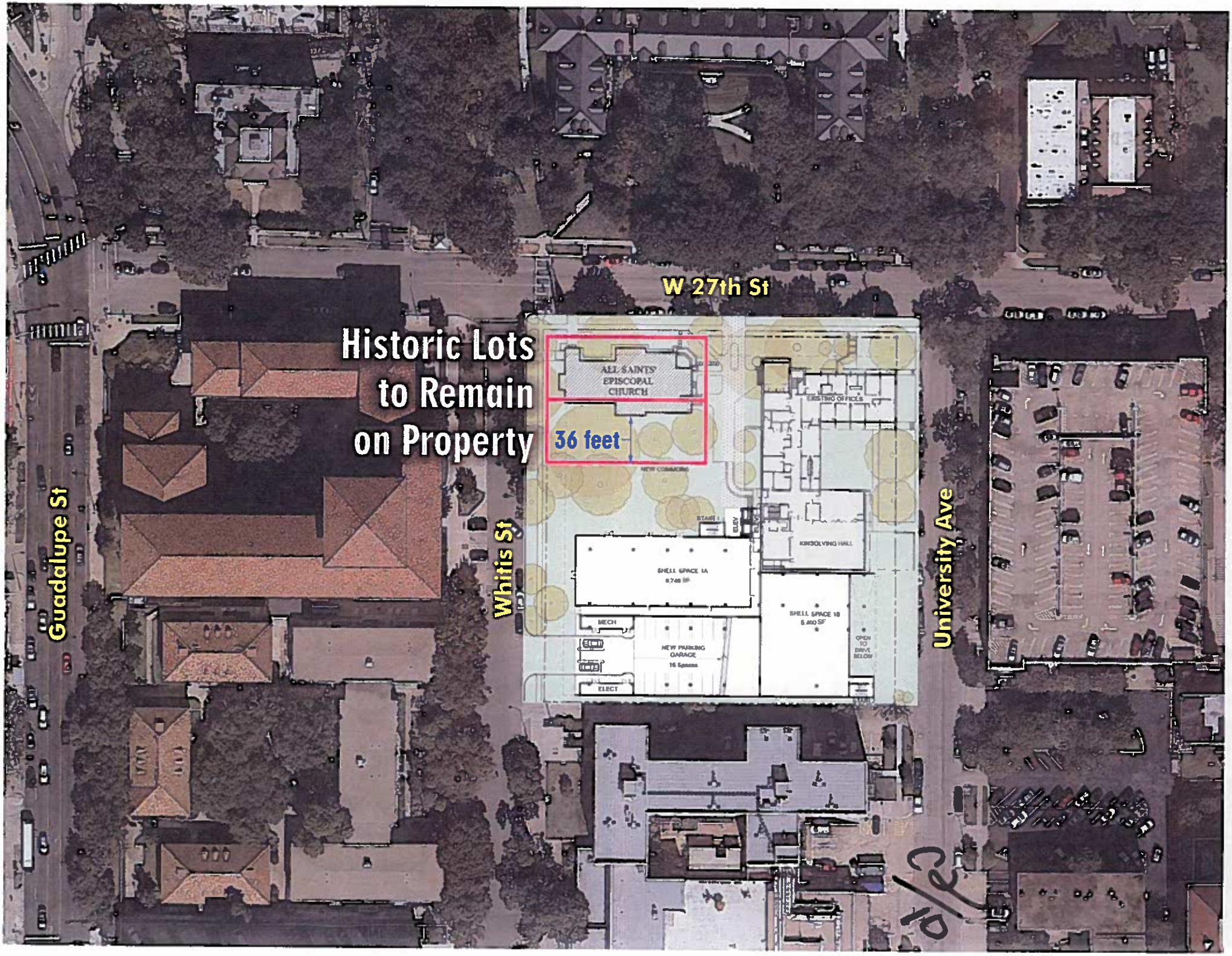
ATTEST: Grace Monroe
City Clerk

:cf

EXHIBIT B
1980 HISTORIC ZONING ORDINANCE



WEST 29TH ST.
APARTMENT
REST.
TIRE SALES
REST
APT'S
APARTMENT
APT'S
TYPING SVC
HEMPHILL PK.
WHITIS AVE
DENTIST BOOK STORE
FAST FOOD
FRATERNITY HOUSE
DORMS
LIBRARY
CHURCH
POSTED
7TH ST.
CO-OP BLDG.
C-2
REST
FLORIST
CONV. STORE
WOMENS COOPERATIVE HOUSING
FINANCIAL AID
CHURCH
CHURCH STUDENT CENTER
WHITIS AVE.
EVAL.TN. CENTER
FAST FOOD
FOOD
FOOD
JEWELER
CLOTHING
ICE CREAM PARLOR
UNIV FACULTY
GUADALUPE
LITTLEFIELD DORM
STUDENT HEALTH CENTER
CLOTHING
AMUSE.
CLOTHING
STUDIO
LANTON DORM
N. CAMPUS GLASS RM
NORTH
AREA OF HEARING
ZONING LINE
PENDING CASE
RESIDENTIAL STRUCTURES
FILE NO: C14H-80-022


W 27th St
Historic Lots
to Remain
on Property
ALL SAINTS'
EPISCOPAL
CHURCH
36 feet
Guadalupe St
Whitis St
University Ave
EXISTING OFFICES
KINSOLVING HALL
SHELL SPACE 1A
SHELL SPACE 1B
5,400 SF
MECH
NEW PARKING
GARAGE
16 Spaces
ELECT
OPEN
TO
DRIVE
BELOW

10/23

SUMMARY STAFF RECOMMENDATION:

The Staff recommendation is to grant general commercial services – mixed use – conditional overlay (CS-MU-CO) combining district zoning. The Conditional Overlay prohibits the following uses: agricultural sales and services; automotive rentals, automotive repair services, automotive sales, automotive washing (of any type), campground, commercial blood plasma center, convenience storage, equipment repair services, equipment sales, limited warehousing and distribution, service station, and vehicle storage.

BASIS FOR LAND USE RECOMMENDATION (ZONING PRINCIPLES)

1. The proposed zoning should be consistent with the purpose statement of the district sought.

General commercial services (CS) district zoning is intended for commercial or industrial uses that typically have operating characteristics or traffic service requirements generally incompatible with residential environments. The MU, Mixed-Use district is intended to allow for office, retail, commercial and residential uses to be combined in a single development.

2. The proposed zoning should allow for a reasonable use of the property.

Staff believes the Applicant's rezoning request provides consistency with the scale and intensity of development on the south side of 27th Street, maintains an adequate buffer to the existing chapel, and recommends a Conditional Overlay prohibiting the more intensive commercial uses allowed in the CS base district.

EXISTING CONDITIONS

Site Characteristics

The rezoning area contains a surface parking lot and there appear to be no significant topographical constraints on the site.

Impervious Cover

The maximum impervious cover allowed by the *CS-MU* zoning district would be 95%, which is based on the more restrictive zoning regulations.

Comprehensive Planning

This zoning case is located on the east side of Whitis Avenue, behind All Saint Episcopal Church. The property is approximately 0.579 acres in size, and is the site of an existing surface level parking lot. The property is not located with the boundaries of a neighborhood planning area but is within the boundaries of the University of Texas campus area. Surrounding land uses include the All Saints Episcopal Church to the north, a college

dormitory to the south and west, and the All Saints Episcopal Church Student Center to the east. The proposal is convert a surface level parking lot into a commercial parking facility.

Imagine Austin
The property is located within the boundaries of a **'Regional Center'**, as identified on the Imagine Austin's Growth Concept Map, found in the Image Austin Comprehensive Plan. A Regional Center is the most urban of the three activity centers outlined in the growth concept map. These centers are and will be the retail, cultural, recreational, and entertainment destinations for Central Texas. These are also the places where the greatest density of people and jobs and the tallest buildings in the region will be located. The densities, buildings heights, and overall character of a center will vary depending on location. Regional centers will range in size between approximately 25,000-45,000 people and 5,000- 25,000 jobs.
The following IACP policies are applicable to this case:

- **LUT P3** Promote development in **compact centers**, communities or along corridors that are connected by roads and transit, are designed to encourage walking and bicycling, and reduce healthcare, housing and transportation costs.

- **LUT P4.** Protect neighborhood character by directing growth to areas of change that includes designated redevelopment areas, corridors and infill sites. Recognize that different neighborhoods have different characteristics and new and infill development should be sensitive to the predominant character of these communities.

- **HN P11.** Protect neighborhood character by **directing growth to areas of change** and ensuring context sensitive infill in such locations as designated redevelopment areas, corridors, and infill sites.

Based upon: (1) the property being located within a Regional Center, which supports a variety of land uses to promote a dense and vibrant center; (2) other nearby parking facilities and the shortage of parking facilities around the University of Texas campus, and (3) the Imagine Austin policies above that supports a variety of uses within a Regional Centers, including parking facilities, staff believes that the proposed use is supported by the Imagine Austin

Environmental

The site is not located over the Edwards Aquifer Recharge Zone. The site is located in the Waller Creek Watershed of the Colorado River Basin, which is classified as an Urban Watershed by Chapter 25-8 of the City's Land Development Code. It is in the Desired Development Zone.

Zoning district impervious cover limits apply in the Urban Watershed classification.

According to floodplain maps there is no floodplain within or adjacent to the project location.

Standard landscaping and tree protection will be required in accordance with LDC 25-2 and 25-8 for all development and/or redevelopment.

Trees will likely be impacted with a proposed development associated with this rezoning case. Please be aware that an approved rezoning status does not eliminate a proposed development's requirements to meet the intent of the tree ordinances. If further explanation or specificity is needed, please contact the City Arborist at 512-974-1876. At this time, site specific information is unavailable regarding other vegetation, areas of steep slope, or other environmental features such as bluffs, springs, canyon rimrock, caves, sinkholes, and wetlands.

This site is required to provide on-site water quality controls (or payment in lieu of) for all development and/or redevelopment when 8,000 s.f. cumulative is exceeded, and on site control for the two-year storm.

Site Plan

The project will require a site development permit, and must comply with Subchapter E. It would appear the principal roadway is an Urban Roadway, all Subchapter E requirements would be based on this roadway type.

Transportation

No additional right-of-way is needed at this time.

A traffic impact analysis was not required for this case because the traffic generated by the proposed zoning does not exceed the threshold of 2,000 vehicle trips per day [LDC, 25-6-113].

Eric Dusza with the Neighborhood Connectivity Division may have additional comments regarding multi-modal enhancements and facilities.

Water / Wastewater

The landowner intends to serve the site with City of Austin water and wastewater utilities. The landowner, at own expense, will be responsible for providing any water and wastewater utility improvements, offsite main extensions, utility relocations and or abandonments required by the land use. The water and wastewater utility plan must be reviewed and approved by the Austin Water Utility for compliance with City criteria and suitability for operation and maintenance. Depending on the development plans submitted, water and or wastewater service extension requests may be required. All water and wastewater construction must be inspected by the City of Austin. The landowner must pay the City inspection fee with the utility construction. The landowner must pay the tap and impact fee once the landowner makes an application for a City of Austin water and wastewater utility tap permit.